



General Assembly

January Session, 2001

**Amendment**

LCO No. 8035

Offered by:

SEN. BOZEK, 6<sup>th</sup> Dist.

To: Senate Bill No. 1393

File No. 263

Cal. No. 219

**"AN ACT IMPLEMENTING THE LEGISLATIVE COMMISSIONERS'  
RECOMMENDATIONS FOR TECHNICAL REVISIONS TO CERTAIN  
INSURANCE AND REAL ESTATE STATUTES."**

1 After line 347, add the following:

2 "Sec. 12. Subsections (b) and (c) of section 38a-568 of the general  
3 statutes are repealed and the following is substituted in lieu thereof:

4 (b) Not later than ninety days after the commissioner's approval of  
5 small employer health care plans submitted by the board, [every] each  
6 small employer carrier, including, but not limited to, each health care  
7 center, shall, as a condition of transacting such insurance in this state,  
8 offer those small employer health care plans that correspond to the  
9 insurance products being currently offered by the carrier to small  
10 employers. [Every] Each small employer that elects to be covered  
11 under such plan and agrees to make the required premium payments  
12 and to satisfy the other provisions of the plan shall be issued such a  
13 plan by the small employer carrier.

14 (c) No health care center shall be required to offer coverage or  
15 accept applications pursuant to subsection (b) of this section in the case  
16 of any of the following: (1) To a group, where the group is not  
17 physically located in the health care center's approved service area; (2)  
18 to an employee, where the employee does not work or reside within  
19 the health care center's approved service area; (3) within an area,  
20 where the health care center reasonably anticipates, and demonstrates  
21 to the satisfaction of the commissioner, that it will not have the  
22 capacity within that area in its network of providers to deliver services  
23 adequately to the members of such groups because of its obligations to  
24 existing group contract holders and enrollees; [or] (4) where the  
25 commissioner finds that acceptance of an application or applications  
26 would place the health care center in an impaired financial condition;  
27 or (5) where the commissioner finds that compliance with subsection  
28 (b) of this section would place the health care center in an impaired  
29 financial condition. A health care center that refuses to offer coverage  
30 pursuant to subdivision (3) of this subsection may not, for ninety days  
31 after such refusal, offer coverage in the applicable area to new cases of  
32 employer groups with more than twenty-five eligible employees.

33 Sec. 13. Section 38a-568 is amended by adding subsection (f) as  
34 follows:

35 (NEW) (f) Each small employer carrier, including, but not limited to,  
36 a health care center, shall offer each health care plan that the carrier  
37 makes available to small employers, except association group plans, to  
38 all small employers, including, but not limited to, groups containing  
39 only one member."